

August 16, 2017

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on August 16, 2017, 10:05 a.m. Present were Commissioners Christmann, Kroshus and Fedorchak.

Approval of Minutes of July 26,  
August 8, 14 and 15, 2017  
Commission Meetings

Mr. Christmann: I move the minutes of the July 26, August 8, 14 and 15, 2017 be approved.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-17-181  
Oasis Midstream Services LLC  
Wild Basin Gas Plant –  
McKenzie County  
Siting Application

Mr. Christmann: I move the Commission approve an allowance for burial of underground utility lines (e.g., electrical lines) of less than 48 inches from the top of the lines as requested in the August 9, 2017 filing of Oasis Midstream Services LLC, docket number 45. The 48 inch depth of cover would still apply to natural gas and oil pipelines, in Oasis Midstream Services LLC, Wild Basin Gas Plant – McKenzie County, Siting Application, Case No. PU-17-181.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-17-306  
Rex Anton Korslien  
Auctioneer  
License Application

Mr. Christmann: I move the Commission approve the auctioneer license application for Rex Anton Korslien, Watford City, North Dakota.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-17-307  
Thomas S. Moore  
Auctioneer  
License Application

Mr. Christmann: I move the Commission approve the auctioneer license application for Thomas S. Moore, Edinburg, North Dakota.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-17-308  
Moore Auctions, LLC  
Auction Clerk  
License Application

Mr. Christmann: I move the Commission approve the auction clerk license application for Moore Auctions, LLC, Edinburg, North Dakota.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-17-242  
Montana-Dakota Utilities Co.,  
a Division of MDU Resources  
Shawn Moch - Emmons County  
Public Convenience & Necessity

Mr. Christmann: I move the Commission adopt the Order on Certificate of Public Convenience and Necessity in Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc., Shawn Moch - Emmons County, Public Convenience & Necessity, Case No. PU-17-242.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-17-295  
Montana-Dakota Utilities Co.,  
a Division of MDU Resources  
2017 Natural Gas Rate Increase  
Application

Mr. Christmann: I move the Commission suspend the tariff and rates in Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc., 2017 Natural Gas Rate Increase, Application, Case No. PU-17-295.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-11-696  
Basin Electric Power Cooperative  
345 kV Trans. Line –  
Mercer, Dunn, McKenzie, Williams  
Siting Application

Mr. Christmann: I move the Commission acknowledge Commission staff approvals issued April 27, 2017 and August 15, 2017 of transmission line structure relocations in Basin Electric Power Cooperative, 345 kV Transmission Line, Mercer, Dunn, McKenzie, Williams, Siting Application, Case No. PU-11-696.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. RC-16-655  
Falkirk Mining Company  
Bond Release No. 4 for  
Permit NAFK-9601  
Approval

Mr. Christmann: I move the Commission approve Bond Release No. 4 to Surface Coal Mining Permit NAFK-9601, held by the Falkirk Mining Company, to release all remaining reclamation liabilities on 428.0 acres located in portions of Sections 25, 26 and 35, T146N, R82W, McLean County. The amount of the bond release is \$277,832.45 and it will become effective September 18, 2017, unless a formal hearing is requested.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. RC-16-656  
Falkirk Mining Company  
Bond Release No. 1 for  
Permit NAFK-8405  
Approval

Mr. Christmann: I move the Commission approve Bond Release No. 1 to Surface Coal Mining Permit NAFK-8405, held by the Falkirk Mining Company for the Falkirk Mine, to release all reclamation liabilities on 200.1 acres located in portions of Sections 26 and 35, T146N, R82W, McLean County. No monetary release is being requested since the current bond amount is based on the worst-case reclamation condition for this permit and others at the Falkirk Mine. This release will become effective September 18, 2017, unless a formal hearing is requested.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-17-309  
CHS, Inc.  
Facility-Based Grain Buyer –  
Lignite, ND  
Discontinue Business

Mr. Christmann: I move the Commission issue the Order Granting Request to Discontinue Business effective August 1, 2017 in CHS, Inc., Facility-Based Grain Buyer – Lignite, ND, Discontinue Business, Case No. GE-17-309.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-17-310  
Golden Growers Cooperative  
Roving Grain Buyer –  
West Fargo, ND  
Discontinue Business

Mr. Christmann: I move the Commission issue the Order Granting Request to Discontinue Business effective August 1, 2017 in Golden Growers Cooperative, Roving Grain Buyer – West Fargo, ND, Discontinue Business, Case No. GE-17-310.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-17-311  
Cereal Byproducts Company  
License No. 1300 - Minot, ND  
Discontinue Business

Mr. Christmann: I move the Commission issue the Order Granting Request to Discontinue Business effective August 1, 2017 in Cereal Byproducts Company, License No. 1300 - Minot, ND, Discontinue Business, Case No. GE-17-311.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-17-312  
Farmer's Business Network, Inc.  
Roving Grain Buyer –  
San Carlos, CA  
Discontinue Business

Mr. Christmann: I move the Commission issue the Order Granting Request to Discontinue Business effective August 1, 2017 in Farmer's Business Network, Inc., Roving Grain Buyer – San Carlos, CA, Discontinue Business, Case No. GE-17-312.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-17-313  
PKT Associates, Inc.  
Roving Grain Buyer –  
Fair Lawn, NJ  
Discontinue Business

Mr. Christmann: I move the Commission issue the Order Granting Request to Discontinue Business effective August 1, 2017 in PKT Associates, Inc., Roving Grain Buyer – Fair Lawn, NJ, Discontinue Business, Case No. GE-17-313.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-17-314  
Commodity Specialists Company  
Roving Grain Buyer –  
Minneapolis, MN  
Discontinue Business

Mr. Christmann: I move the Commission issue the Order Granting Request to Discontinue Business effective August 1, 2017 in Commodity Specialists Company, Roving Grain Buyer – Minneapolis, MN, Discontinue Business, Case No. GE-17-314.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-17-315  
Spokane Seed Company  
Roving Grain Buyer –  
Spokane, WA  
Discontinue Business

Mr. Christmann: I move the Commission issue the Order Granting Request to Discontinue Business effective August 1, 2017 in Spokane Seed Company, Roving Grain Buyer – Spokane, WA, Discontinue Business, Case No. GE-17-315.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-17-316  
Concord Grain, LLC  
Roving Grain Buyer - Aberdeen, SD  
Discontinue Business

Mr. Christmann: I move the Commission issue the Order Granting Request to Discontinue Business effective August 1, 2017 in Concord Grain, LLC, Roving Grain Buyer – Aberdeen, SD, Discontinue Business, Case No. GE-17-316.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-17-317  
Diamond W Feeds Inc.  
License No. 1238 - Medina, ND  
Discontinue Business

Mr. Christmann: I move the Commission issue the Order Granting Request to Discontinue Business effective August 1, 2017 in Diamond W Feeds, Inc., License No. 1238 – Medina, ND, Discontinue Business, Case No. GE-17-317.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-17-320  
Viterra USA LLC  
License No. 1266 - Crystal, ND  
Discontinue Business

Mr. Christmann: I move the Commission issue the Order Granting Request to Discontinue Business effective August 1, 2017 in Viterra USA LLC, License No. 1266 – Crystal, ND, Discontinue Business, Case No. GE-17-320.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-17-145  
Montana-Dakota Utilities Co., a  
Division of MDU Re  
2016 Electric Operations  
Annual Report

Mr. Kroshus: I move the Commission close Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc., 2016 Electric Operations, Annual Report, Case No. PU-17-145

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. GS-17-171  
Caliber North Dakota LLC  
Pipeline Safety Enforcement

Mr. Kroshus: I move the Commission adopt the Order in Public Service Commission, Caliber North Dakota LLC., Pipeline Safety Enforcement, Case No. GS-17-171.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-17-194  
Montana-Dakota Utilities Co.,  
a Division of MDU Resources  
Gas Transportation –  
Schedules 81 and 82  
Tariff and Rates

Mr. Kroshus: I move the Commission approve the revised tariffs and gas transportation service agreement in Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc.'s, Gas Transportation – Schedules 81 and 82, Tariff and Rates, Case No. PU-17-194

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-17-226  
Montana-Dakota Utilities /  
Roughrider Electric  
City of Beulah  
Service Area Agreement

Case No. PU-17-227  
Montana-Dakota Utilities Co.,  
a Division of MDU Resources  
City of Beulah –  
Service Area Agreement  
Public Convenience & Necessity

Case No. PU-17-228  
Montana-Dakota Utilities /  
Roughrider Electric  
City of Belfield  
Service Area Agreement

Case No. PU-17-229  
Montana-Dakota Utilities Co.,  
a Division of MDU Resources  
City of Belfield –  
Service Area Agreement  
Public Convenience & Necessity

Case No. PU-17-230  
Montana-Dakota Utilities /  
Roughrider Electric  
City of South Heart  
Service Area Agreement

Case No. PU-17-231  
Montana-Dakota Utilities Co.,  
a Division of MDU Resources  
City of South Heart –  
Service Area Agreement  
Public Convenience & Necessity

Mr. Kroshus: I move the Commission adopt the Order on Electric Service Area Agreement and Certificate of Public Convenience and Necessity in Montana-Dakota Utilities / Roughrider Electric Cooperative, Inc., City of Beulah, Service Area Agreement, Case No. PU-17-226 and Montana-Dakota Utilities Co. a Division of MDU Resources Group, Inc., City of Beulah - Service Area Agreement, Public Convenience & Necessity, Case No. PU-17-227.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Mr. Kroshus: I move the Commission adopt the Order on Electric Service Area Agreement and Certificate of Public Convenience and Necessity in Montana-Dakota Utilities / Roughrider Electric, City of Belfield, Service Area Agreement, Case No. PU-17-228 and Montana-Dakota Utilities Co. a Division of MDU Resources Group, Inc., City of Belfield - Service Area Agreement, Public Convenience & Necessity, Case No. PU-17-229.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Mr. Kroshus: I move the Commission adopt the Order on Electric Service Area Agreement and Certificate of Public Convenience and Necessity in Montana-Dakota Utilities / Roughrider Electric Cooperative, Inc., City of South Heart, Service Area Agreement, Case No. PU-17-230 and Montana-Dakota Utilities Co. a Division of MDU Resources Group, Inc., City of South Heart - Service Area Agreement, Public Convenience & Necessity, Case No. PU-17-231.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-17-232  
Montana-Dakota Utilities /  
Roughrider Electric  
City of Hazen  
Service Area Agreement

Case No. PU-17-233  
Montana-Dakota Utilities Co.,  
a Division of MDU Resources  
City of Hazen –  
Service Area Agreement  
Public Convenience & Necessity

Mr. Kroshus: I move the Commission adopt the Order on Electric Service Area Agreement and Certificate of Public Convenience and Necessity in Montana-Dakota Utilities / Roughrider Electric Cooperative, Inc., City of Hazen, Service Area Agreement, Case No. PU-17-232 and Montana-Dakota Utilities Co. a Division of MDU Resources Group, Inc., City of Hazen - Service Area Agreement, Public Convenience & Necessity, Case No. PU-17-233.

Ms. Fedorchak: I second the motion.  
Roll Call: All voting "Aye."

Case No. PU-17-268  
Montana-Dakota Utilities Co.,  
a Division of MDU Resources  
Advance Prudence –  
Thunder Spirit Wind Expansion  
Application

Case No. PU-17-269  
Montana-Dakota Utilities Co.,  
a Division of MDU Resources  
Thunder Spirit Wind Expansion Project  
Public Convenience & Necessity

Mr. Kroshus: I move the Commission assess a filing fee of \$10,000 in Case No. PU-17-269 and issue a Notice of Opportunity for Hearing in Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc., Advance Prudence – Thunder Spirit Wind Expansion, Application, Case No. PU-17-268 and Thunder Spirit Wind Expansion Project, Public Convenience and Necessity, Case No. PU-17-269.

Ms. Fedorchak: I second the motion.  
Roll Call: All voting "Aye."

Case No. PU-17-192  
Montana-Dakota Utilities Co.,  
a Division of MDU Resources  
Thunder Spirit Wind Project  
Siting Application

Ms. Fedorchak: I move the Commission adopt the Order issuing First Reissued Second Amended Certificate of Site Compatibility No. 35 in Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc., Thunder Spirit Wind Project, Siting Application, Case No. PU-17-192

Mr. Kroshus: I second the motion.  
Roll Call: All voting "Aye."

Case No. PU-17-302  
Allete Clean Energy, Inc.  
100 MW Clean Energy #1 Wind Pjc -  
Mercer & Morton  
Siting Application

Ms. Fedorchak: I move the Commission assess a filing fee of \$10,000, deem the application for amendment complete, and issue a Notice of Filing and Notice of Opportunity for Hearing in ALLETE Clean Energy, Inc., 100 MW Clean Energy #1 Wind Project - Mercer & Morton Counties, Case No. PU-17-302.

Mr. Kroshus: I second the motion.  
Roll Call: All voting "Aye."

Case No. PU-14-842  
Dakota Access, LLC  
Dakota Access Pipeline Project  
Siting Application

Ms. Fedorchak: I move the Commission issue a Notice of Continued Hearing on Investigation in Dakota Access, LLC, Dakota Access Pipeline Project, Siting Application, Case No. PU-14-842.

Mr. Kroshus: I second the motion.

Roll Call: All voting "Aye."

Case No. AD-15-56  
WORC v. Zinke et al.,  
USCA Case #15-5294  
Civil Litigation

Mr. Christmann: I move the Commission request legal assistance from the Office of the Attorney General in Public Service Commission, WORC v. Zinke et al., USCA Case #15-5294, Civil Litigation, Case Number AD-15-56.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-17-221  
Murphy Pipe & Civil LLC  
Damage Prevention Enforcement

Mr. Christmann: I move the Commission appoint John Schuh and Victor Schock as advocacy effective June 21, 2017, in Public Service Commission, Murphy Pipe & Civil LLC, Damage Prevention Enforcement, Case No. PU-17-221.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-17-241  
Qwest Corporation  
Damage Prevention Enforcement

Mr. Christmann: I move the Commission appoint John Schuh and Victor Schock as advocacy effective July 12, 2017, in Public Service Commission, Qwest Corporation, Damage Prevention Enforcement, Case No. PU-17-241.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-17-270  
Northern States Power Company  
Advance Prudence - Biomass PPAs  
Application

Mr. Christmann: I move the Commission appoint John Schuh, Sara Cardwell and Victor Schock as advocacy effective July 21, 2017, in Northern States Power Company, Advance Prudence – Biomass PPAs, Application, Case No. PU-17-270.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-17-271  
Northern States Power Company  
Deferred Accounting - Biomass PPAs  
Application

Mr. Christmann: I move the Commission appoint John Schuh, Sara Cardwell and Victor Schock as advocacy effective July 21, 2017, in Northern States Power Company, Deferred Accounting – Biomass PPAs, Application, Case No. PU-17-271.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-17-293  
Kamphuis Pipeline Co.  
Damage Prevention Enforcement

Mr. Christmann: I move the Commission appoint John Schuh and Victor Schock as advocacy effective August 2, 2017, in Public Service Commission, Kamphuis Pipeline Co., Damage Prevention Enforcement, Case No. PU-17-293.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-17-295  
Montana-Dakota Utilities Co.,  
a Division of MDU Resources  
2017 Natural Gas Rate Increase  
Application

Mr. Christmann: I move the Commission appoint John Schuh, Sara Cardwell and Victor Schock as advocacy effective July 26, 2017, in Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc., 2017 Natural Gas Rate Increase, Application, Case No. PU-17-295.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-17-322  
Northern States Power Company  
Deferred Accounting - Laurentian PPA  
Termination  
Application

Mr. Christmann: I move the Commission appoint John Schuh, Sara Cardwell and Victor Schock as advocacy effective August 10, 2017, in Northern States Power Company, Deferred Accounting – Laurentian PPA Termination, Application, Case No. PU-17-322.

Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-17-295  
Montana-Dakota Utilities Co.,  
a Division of MDU ReSources  
2017 Natural Gas Rate Increase  
Application

WITHDRAWN

New Hire - AML Seasonal Inspector

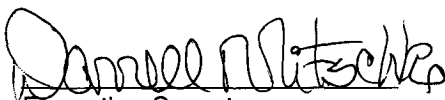
Mr. Christmann: I move the Commission acknowledge the hiring of Chris Neubauer for seasonal part-time employment as a Project Inspector in the AML Division for a period of employment starting August 14, 2017, and ending no later than October 31, 2017, at a salary of \$24.00 per hour plus time and a half for hours worked in excess of the standard 40 hour work week.


Ms. Fedorchak: I second the motion.

Roll Call: All voting "Aye."

ATTEST

THE COMMISSION ADJOURNED AT 11:47 A.M.

  
Executive Secretary

  
RANDY CHRISTMANN, CHAIRMAN